IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.13817 of 2008
BINOD MAHTO
Versus
THE STATE OF BIHAR
---

2. 14.5.2008. Heard learned counsel for the petitioner and the State.

It appears from the order of the court below refusing bail to the petitioner dated 21.2.2008 that he was represented through counsel on 16.1.2008 and as he was not physically present, charges against him as also the other accused in jail custody could not be framed which prompted the court below to cancel the bail bonds of the petitioner.

I seek no illegality in the exercise of canceling the bail bonds of the petitioner, however, this Court directs the petitioner, namely, Binod Mahto to file a written undertaking in the court below that hereafter he shall not misuse the privilege of bail and if such an affidavit is filed in the court below, petitioner be released on bail on furnishing bail bond of Rs. 5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge, Muzaffarpur in connection with S.T.No. 131 of 2005, arising out of Pear P.S.Case No. 124/04) but he should appear on every date fixed in the matter until the judgment is delivered and his trial also should proceed along with the trial of the other four co-accused who are in jail custody.

WEB COPY NOT OFFICIAL

P.K.P. **(V.N.Sinha,J.)**